



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
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June 1, 2020

BY ECF

The Honorable Taylor A. Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Michael Ackerman, 20 Cr. 93 (TAS)*

Dear Judge Swain:

The Government respectfully submits this letter to seek an approximately sixty day adjournment of the arraignment and initial conference currently scheduled for 11 a.m. on June 11, 2020. The parties are discussing a pretrial resolution of this matter and will not be completed with those discussions before the conference date.

As noted in detail in the Government's prior adjournment request (ECF No. 9), the Government also seeks exclusion of time from the speedy trial clock in an abundance of caution, though the Government believes that the speedy trial clock has not begun to run in this case, because the defendant has yet to appear in this district, and that time is automatically excluded from the speedy trial clock to the extent that the defendant is not currently physically capable of standing trial. In the alternative, the Government moves with the consent of defense counsel to exclude time from the speedy trial clock under 18 U.S.C. § 3161(h)(7)(A) because the ends of justice served by such exclusion outweigh the best interest of the public and the defendant in a speedy trial. Specifically, the exclusion would allow time for the parties to continue discussing a pretrial disposition in this case.

The application is granted. The conference is adjourned to August 11, 2020 at 11:00 a.m. The Court finds pursuant to 18 U.S.C. §3161(h)(7)(A) that the ends of justice served by an exclusion of the time from today's date through 8/11/20 outweigh the best interests of the public and the defendant in a speedy trial for the reasons stated above. Counsel's attention is directed to the fact that the undersigned's name is **Laura Taylor Swain**. DE#18 resolved.

SO ORDERED.
Dated: 6/2/2020
/s/ Laura Taylor Swain
Laura Taylor Swain, USDJ

cc: Jonathan Marvinny, Esq. (by ECF)

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

By: /s/
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